

REMARKS

*interview record  
OK  
JW*

The interview with examiner Sue Weaver on June 15, 2007 is acknowledged with appreciation. The examiner's interview summary is accurate as to what transpired at the interview.

Claims 1, 3, 5 and 7 stand rejected as anticipated by Slat et al. (U.S. Patent No. 6,983,858) and as anticipated by Silvers (U.S. Patent No. 6,595,380). As discussed at the interview, the above amendments to claims 1 and 5 avoid Slat et al. and Silvers because neither reference discloses a container including a base having a dome and an annular outer ridge and wherein said dome has a diameter of at least about 25% of the diameter of the outer ridge diameter whereby fluid and gas within said container cool while the dome remains protruding away from the top. The specification has been amended to make reference to the drawings which show the relative the dome diameter of at least about 25 % of the outer ridge diameter. As is evident from, for example, the drawings this limitation does not introduce new matter.

Claims 2, 4 and 6 are rejected as obvious over Slat et al. in view of Finlay et al. (U.S. Patent Publication No. 2001/0027978). Finlay et al. is relied on for alternately oriented ribs and does not make up for the above-noted deficiencies in Slat et al. Accordingly, claims dependent claims 2, 4 and 6 avoid the prior art for at least the same reasons as noted above with respect to the rejection of independent claims 1 and 5.

The office action indicates the affidavit filed on January 9, 2007 is insufficient to overcome Slat et al. because evidence of diligence (from conception to reduction to practice) and acts (of conception and reduction to practice) in the U.S., a NAFTA country or a WTO country has not been provided. This point is moot in view of the above-noted amendments and explanation of how the present claims avoid the prior art.

If there is any issue remaining to be resolved, the examiner is invited to telephone the undersigned so that resolution can be promptly effected.